

311

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE MATTER OF

Name _____, Juvenile Case No. _____
DOB xx /xx / ____ A male female

WARRANT

Pursuant to K.S.A. 38-2334, 38-2335, 38-2336 and 38-2342

TO: THE SHERIFF OF _____ COUNTY,
OR ANY LAW ENFORCEMENT AGENTS OF THE STATE OF KANSAS

Whereas an Order Authorizing Removal (*Form 312*) of the juvenile named above has been issued and there is probable cause to believe that the juvenile named above did :

commit an offense, to wit: _____

violate probation, conditional release, conditions of release or placement, as follows: _____

escape from a facility, as follows: _____

Therefore, you are hereby ordered to arrest said juvenile and bring the juvenile before the named court, forthwith, to answer said allegation(s) and you are further ordered to make due return of this Warrant. Pending appearance no juvenile shall be detained in jail, except as permitted by K.S.A. 38-2332.

IT IS SO ORDERED, THIS _____ day of _____, _____.

Judge of the District Court

(When this Warrant is returned for filing, some of the following information must not be visible to the public, pursuant to Supreme Court Rule #123)

Bond: _____
DOB _____ DLN _____ SSN _____ Height _____ Weight _____
Sex M or F Race _____ Hair _____ Eyes _____

Other Description: _____
LKA _____

RETURN OF SERVICE

STATE OF KANSAS)
) ss:
COUNTY OF _____)

I received this Warrant on the _____ day of _____, _____, and I did execute the same by arresting the juvenile named above at _____ a.m. p.m. on _____. I declare under penalty of perjury that this return of service is true and correct.

Law Enforcement Officer Name/Title

Authority

K.S.A. 38-2336 and 38-2342.

Notes on Use

K.S.A. 38-2342 provides for the issuance of a warrant upon a finding that there is probable cause to believe that an offense was committed by the juvenile, the juvenile violated probation, conditional release, conditions of release or placement, or the juvenile has escaped from a facility. When a warrant is issued, and it is the first order of removal in the case, an Order Authorizing Removal (Form 312), or another ASFA form approved by the Supreme Court, is required by K.S.A. 38-2334, 38-2335, and Supreme Court Administrative Order No. 155. Upon taking the juvenile into custody, detention shall not exceed 48 hours, excluding Saturdays, Sundays and legal holidays, unless the court conducts a detention hearing and determines that further detention is necessary. K.S.A. 38-2343.

The Juvenile Justice and Delinquency Prevention Act of 2002, 42 U.S.C. 5601, prohibits detention of status offenders or non-criminal traffic or fish and game offenders in any secure facility, except for a minimal period (6 hours under K.S.A. 38-2338) for investigation or identification, but always sight and sound separate from adult prisoners if the site is an adult jail.